



# THE CEYLON GOVERNMENT GAZETTE

No. 9,718 — FRIDAY, JUNE 13, 1947.

Published by Authority.

## PART II.—LEGAL.

(Separate paging is given to each Part in order that it may be filed separately.)

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### PASSED ORDINANCES.

Ordinance enacted by the Governor of Ceylon, with the advice and consent of the State Council thereof.

No. 24 of 1947.

An Ordinance to incorporate the Low-Country Products Association of Ceylon.

HENRY MOORE.

WHEREAS the Low-Country Products Association of Ceylon (hereinafter referred to as the "Association") has applied for the privileges of incorporation, and it will be for the public advantage to grant the application: Be it therefore enacted by the Governor of Ceylon, with the advice and consent of the State Council thereof, as follows:—

1. This Ordinance may be cited as the Low-Country Products Association of Ceylon (Incorporation) Ordinance, No. 24 of 1947.

2. With effect from the date on which this Ordinance comes into operation, the Chairman, other office-bearers and members of the Committee for the time being, and such and so many persons as now are members of the Association, or shall hereafter be admitted members of the corporation hereby constituted, shall be a corporation with limited liability in manner hereinafter provided, with perpetual succession and a common seal under the style and name of the Low-Country Products Association of Ceylon and by that name shall sue and be sued in all Courts.

3. The general objects for which the corporation is constituted are hereby declared to be the promotion, fostering and protection of the agricultural and commercial interests of persons interested in the products of Ceylon, and generally to safeguard the interests of its members.

4. (1) It shall be lawful for the corporation, from time to time, at any general meeting of members, and by a majority of votes to make such rules as it may deem expedient in respect of all or any of the following matters:—

- (a) the admission, withdrawal or expulsion of members;
- (b) the amount of the subscriptions payable by members and the imposition of fines, forfeitures and other penalties for breaches of rules;
- (c) the powers and duties of the Committee and of the various officers, agents and servants of the corporation;
- (d) the procedure to be followed in the transaction of business;
- (e) the administration and management of the property of the corporation;
- (f) the methods for settling any dispute that may be referred to the corporation by its members;
- (g) the management of the affairs of the corporation and the accomplishment of its objects.

Preamble.

Short Title.

Incorporation of the Association.

General objects of the corporation.

Power to make rules.

(2) Any rules made under this section shall be at all times binding upon the members for the time being of the corporation.

(3) Pending the making of rules under this section, the affairs of the corporation shall be administered, as nearly as may be, in accordance with the rules of the Association in force at the date of its incorporation.

Debts due by, and payable to, the Association.

5. All debts and liabilities of the Association existing at the time of the coming into operation of this Ordinance shall be paid by the corporation hereby constituted, and all debts due to, and subscriptions, contributions and fines payable to the Association shall be paid to the said corporation for the purposes of this Ordinance.

Procedure in affixing the seal of the corporation.

6. The seal of the corporation shall not be affixed to any instrument whatsoever except in the presence of two members of the General Committee, who shall sign their names to the instrument in token of their presence, and such signing shall be independent of the signing of any person as a witness.

Corporation may hold property movable and immovable.

7. The corporation shall be capable in law to receive and hold property, both movable or immovable, which may be vested in it by virtue of any purchase, grant, gift, testamentary disposition or otherwise, and all such property shall be held by the corporation for the purposes of this Ordinance and subject to the rules for the time being of the said corporation, with full power (subject to any trust attaching to any such property and to the law regulating such trusts) to sell, mortgage, lease, exchange or otherwise dispose of the same.

Limit of liability of members.

8. The liability of each member of the Association shall be limited to the transactions of the Association which shall have occurred during the period of his membership, and shall in no case exceed the sum of twenty-five rupees over and above such annual subscriptions as may be due from such member to the Association; and such limitation of liability shall include any contribution that such member may be called upon to make under the rules of the Association to meet any deficit in the annual expenses of the Association.

Saving of the rights of the Crown.

9. Nothing in this Ordinance contained shall affect or be deemed to affect the rights of His Majesty the King, His Heirs and Successors, or of any body politic or corporate, or of any other persons except such as are mentioned in this Ordinance and those claiming by, from or under them.

Passed in Council the Fifteenth day of May, One thousand Nine hundred and Forty-seven.

D. C. R. GUNAWARDANA,  
Clerk of the Council.

Assented to by His Excellency the Governor the Sixth day of June, One thousand Nine hundred and Forty-seven.

J. A. MULHALL,  
Secretary to the Governor.

#### NOTIFICATIONS OF CRIMINAL SESSIONS.

BY virtue of a mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said court for the District of Matara will be holden at the Court-house at Matara on Monday, June 16, 1947, at 11 o'clock of the morning of the said day.

And I do hereby require and inform all persons concerned therein to attend at the time and place above mentioned, and not to depart without leave asked and granted.

Deputy Fiscal's Office,  
Matara, June 5, 1947.

M. RAJENDRA,  
Deputy Fiscal.

May 27, 1947.

By order of court, M. N. PIERIS,  
Secretary.

BY virtue of a mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said court for the Districts of Puttalam and Chilaw will be holden at the district court at Chilaw on Monday, June 16, 1947, at 11 o'clock of the morning of the said day.

And I do hereby require and inform all persons concerned therein to attend at the time and place above mentioned, and not to depart without leave asked and granted.

Deputy Fiscal's Office,  
Puttalam, June 6, 1947.

W. A. DE SILVA,  
Deputy Fiscal.

In the District Court of Colombo.  
No. 5,749. In the matter of the insolvency of Michael Johnson of Insolvency. 15, Marikar place, Temple road, Maradana, Colombo, insolvent.

WHEREAS the above-named Michael Johnson has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by S. Arthur Perera of 52, Galpothe street, Kotahena, Colombo, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Michael Johnson insolvent accordingly; and that two public sittings of the court, to wit, on July 11, 1947, and on July 25, 1947, will take place for the said insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

May 28, 1947.

By order of court, M. N. PIERIS,  
Secretary.

#### NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 5,748. In the matter of the insolvency of Allen Edward Weinman of 18, 37th lane, Wellawattā, Colombo, insolvent.

WHEREAS the above-named Allen Edward Weinman has filed a declaration of insolvency, and a petition for the sequestration

## NOTICES OF FISCALS' SALES.

## Western Province.

In the District Court of Colombo.

H. L. Chandrasekera of Angulana . . . . . Plaintiff.  
No. 6,674/S. . . . . Vs.

Ponniambaduge Agnes Perera of Angulana, wife of Merenpe Daniel Fernando, deceased, in her personal capacity and as legal representative of the estate of the said Merenpe Daniel Fernando . . . . . Defendant.

NOTICE is hereby given that on Monday, July 7, 1947, at 2.15 p.m., will be sold by public auction at the premises at Angulana the right, title, and interest of the said defendant in the following property, for the recovery of the sum of Rs. 2,000 with legal interest thereon from December 7, 1945, and cost of suit Rs. 200.14 to wit — Rs. 118.39 being incurred costs and Rs. 81.75 being prospective costs, viz. :—

All that undivided half share towards the south together with a further undivided half of 7/32 of all that portion of land called Wetakeiyagahawatta, situated at Angulana in Moratuwa in the Palle pattu of Salpiti korale in the District of Colombo, Western Province; bounded on the north by the garden of Modera Welilellage Don Hendrick, east by a portion of the same land belonging to Mahamarakkale Sylvester Fernando, south by the garden of Modera Meehellage Don Bastian, and west by the seashore; containing in extent nineteen and 21/100 perches excluding therefrom six perches sold to Government Railway together with all the trees plantations and the entire upstairs tiled house standing on the said undivided southern half share.

Fiscal's Office, . . . . . G. M. CHINNATAMBY,  
Colombo, June 10, 1947. . . . . Deputy Fiscal.

In the District Court of Panadure.

Mahamarakkala Kurukulasoorya Patabendige Wilson Edwin Perera of 7, Arthur's place, Bambalapitiya . . . . . Plaintiff.  
No. 478. . . . . Vs.

Warnakulasuriya Wadumestriye Jacob Charles Mendis of 323, Galle road, Rawatawatta, Moratuwa . . . . . Defendant.

NOTICE is hereby given that on Thursday, July 17, 1947, at 3 o'clock in the afternoon, will be sold by public auction at the spot the following property mortgaged by the defendant with the plaintiff and declared bound and ordered to be sold by the decree entered in the said case for the recovery of Rs. 1,585 with further interest on Rs. 1,000 at 12 per centum per annum from October 10, 1946, till date of decree, i.e., November 27, 1946, and thereafter on the aggregate amount of the decree at 5 per centum per annum till payment in full and costs of suit (bill to be taxed later) viz. :—

All that portion of land called Delgahawatta (Palm Grove) together with the trees, plantations, and buildings thereon bearing assessment No. 313, situated at Laxapathiya in Moratuwa in the Palle pattu of Salpiti korale in the District of Colombo, Western Province; bounded on the north by Pansalawatta, east by a portion of land called Palm Grove belonging to F. A. Mendis, south by cart road, and west by land belonging to Sir H. L. de Mel, and containing in extent about 1 rood; which said land according to plan No. 1434 dated November 27, 1936, made by P. B. Weerasinghe, Fiscal's Surveyor, is bounded on the north by Pansalawatta, east by Pansalawatta and a portion of Palm Grove belonging to F. A. Mendis, south by cart road, and west by land belonging to Sir H. L. de Mel; containing in extent 35 20/100 perches, which said premises have been held and possessed by the said defendant under and by virtue of deed No. 1095 dated May 1, 1937, attested by A. V. Fernando, Notary Public, together with all rights, privileges, easements, servitudes and appurtenances whatsoever to the said premises belonging or usually held, occupied, used or enjoyed therewith and all the estate, right, title, interest, property, claim and demand whatsoever of the defendant in, to, out of, or upon the same.

Fiscal's valuation is Rs. 3,320.

Fiscal's Office, . . . . . B. D. FERNANDO,  
Panadure, June 9, 1947. . . . . Deputy Fiscal.

In the District Court of Kalutara.

Ebert James Domingo de Mel of 31A, Old Quarry road, Mount Lavina . . . . . Plaintiff.  
No. 25,860. . . . . Vs.

(1) Liyana Arachchige Don Sarnelis Dissanayake, (2) Kosgoda Don Andrew Gunatunga, both of Meegahatenna . . . . . Defendants.

NOTICE is hereby given that on Saturday, July 12, 1947, at 11 o'clock in the forenoon, will be sold by public auction at the premises, the right, title, and interest of the said defendants in the following property mortgaged with the plaintiff by the defendants and declared bound and ordered to be sold by the decree entered in the above case for the recovery of Rs. 3,893.12 with interest on Rs. 3,500 at the rate of 12 per cent. per annum from December 13, 1945, till the date of decree (April 10, 1946) and thereafter on the aggregate amount at legal rate till payment in full and costs Rs. 225.15 less the sum of Rs. 1,000 paid on June 10, 1946, viz. :—

All those five contiguous lands now forming one property called Galatuwehena described in T. P. 97,796 dated December 24, 1874, authenticated by J. G. Jervois, Surveyor-General, and registered E 71,252 and Galatuwehena described in T. P. 97,794 dated December 24, 1874, authenticated by the said J. G. Jervois and registered E 71,254 and Galatuwehena described in T. P. 97,793 dated December 24, 1874, authenticated by the said J. G. Jervois and registered E 71,255 and Galatuwehena described in T. P. 97,792 dated December 24, 1874, authenticated by the said J. G. Jervois and registered in E 71,256, now forming one property and can be included in one survey together with the entire plantation thereon,

situated at Meegahatenna in Maha pattuwa of Pasdun korale east in the District of Kalutara, Western Province; and bounded on the north and north-west by crown land, north and north-east by land said to belong to the Crown and land purchased by P. Don Carolis, south-east and south by land purchased by K. Joronis Appu and by land appearing in P. P. 3246/5548 purchased by Johannes Perera Jayaweera, west by land purchased by Johannes Perera Jayaweera as per P. P. 5,548, south-west by land said to belong to the Crown; and containing in extent 4 acres 2 roods and 17 perches, and registered for Rubber Control as a Small Holding No. 849 S4KL81. The above land has been registered in E 90/269.

Deputy Fiscal's Office, . . . . . T. V. KRISHNAPILLAI,  
Kalutara, June 10, 1947. . . . . Deputy Fiscal.

## Central Province.

In the District Court of Kandy.

Lakunusara Banda Amunugama Aratchi of Palihana Walawwe, Amunugama, residing at Meda Oyanwatta in Wewagama, Palispattu . . . . . Plaintiff.  
No. L 1,400 . . . . . Vs.

Kotendeniya Wasala Mudiyansele Punchi Kumarihamy of Nikatenna Walawwe of Gomagoda in Pata Dumbara for herself and as administratrix of the estate of late H. B. Rambukwela, deceased . . . . . Defendant.

NOTICE is hereby given that on Tuesday, July 8, 1947, commencing at 2 o'clock in the afternoon and on the following day if necessary, commencing at 10 a.m., will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property for the recovery of sum of Rs. 2,770.20, with damages at the rate of Rs. 50 per month from April 28, 1947, until possession of the land is yielded to plaintiff and taxed costs Rs. 549.12 and poundage, viz. :—

1. An undivided half part or share from and out of Wewelmadakumbura of 3 pelas and 5 lahas in paddy sowing, Badadahinnawatta and Wewelmadawatta which are contiguous of 3 amunams and 1 pela paddy sowing, aswedded field in extent 1 pela paddy sowing all of which are contiguous of the aggregate extent of 4 amunams and fifteen lahas paddy sowing in the whole, situate at Gomagoda in Palispattu west in Pata Dumbara in the District of Kandy, Central Province; and bounded on the north by kandura the limit of Puhulwelkotuwewatta and the limit of Dunkepatangehena belonging to Ukku Banda, and east by the limit of Pinkumbura belonging to Medamalwe Vihare, south by the ditch of Watapanagaderawatta belonging to Mutu Banda and dewata, west by the dewata the limit of the Panguwehena belonging to Hawwa and others with a like share of everything thereon; and registered in E 128/317 and 282/150.

2. An undivided half share from and out of Dungahamulahena containing in extent 2 pelas and 7 1/2 lahas paddy sowing, Girambe Dikhena of 1 amunam paddy sowing, Waragashunehena of 15 lahas paddy sowing, Totillagasmullehena of 3 pelas paddy sowing, Gnambehena of 2 pelas and seven lahas paddy sowing, Tennewatta of about 20 acres paddy sowing, Wewelmadahena of yelamunam in paddy sowing, Panyweraluwehena of yelamunam paddy sowing, Brahakmanagederahena of yelamunam paddy sowing, Rallehena of two amunams paddy sowing and Galagahagederahena of about 2 amunams paddy sowing are adjoining each other; and bounded on the north by the fence of Talakotuwewatta, the fence of Pancha's land and boundary of the land called Medawattegedera, and the limit of Radawekumbura, on the east by the river and the limit of Welagoderakumbura, south by the limit of Totillagaskumbura, and west by the road and the Milala tree and situate at Gomagoda in Palispattu west in Pata Dumbara aforesaid; and registered in E 143/40 and 146/211.

3. All that field called Medakumbura situated at Karallyadde in Palispattu west aforesaid; and bounded on the north by Vella, east by the limit of Kalubanda's field, on the south by kandura, west by the field of Ukkurula; and containing in extent 15 lahas paddy sowing and everything thereon; and registered in E 143/39.

4. An undivided 3/4 share out of all that portion in extent 5 pelas paddy sowing and of everything appertaining thereto out of all the contiguous allotment of field comprising the lots called Pitadepelakumbura of 2 pelas and 7 lahas paddy sowing, Kahatagaha-aswedduma of 3 pelas paddy sowing and aswedduma of 2 pelas paddy sowing adjoining one another together containing 7 pelas and 7 lahas paddy sowing in extent out of all that contiguous allotment of high and low lands comprising the field called Pitadepelakumbura of 2 pelas and 7 lahas paddy sowing the portion in extent 1 pela paddy sowing out of the land called Medaayanwatta of 1 amunam paddy sowing, the land called Medaayanwatta of 1 chundu kurakkan sowing, the land called Medaayanwatta of 4 acres in extent, the field called Kahatagaha-aswedduma of 3 pelas paddy sowing in extent, and field called Aswedduma of 2 pelas paddy sowing in extent adjoining one another situate at Wewagama in Palispattu aforesaid which said portion of 5 pelas paddy sowing extent is bounded on the north by Kahatagaha-aswedduma and the limit of Kotuwewatta, on the east by the river, on the south by the limit of Medaayanwatta, and on the west by the limit of Panchikumarihamy's field; and registered in E 128/341.

5. An undivided 1/2 part or share out of all that specific portion of 12 lahas paddy sowing in extent from and out of all that field called Kuruweekotuwakumbura of 2 pelas in paddy sowing extent, situate at Gomagoda in Palispattu korale of Lower Dumbara aforesaid; and which said specific portion of 12 lahas are bounded on the east by Puniyadiyadivalanyara and fence of Wagala, on the south by the fence, on the west by the limit of the field belonging to Kalubanda, Notary, and on the north by the limit of the field belonging to Ampitiyegedera Ram Naide.

6. An undivided 1/2 part or share from and out of the field called Nikkotuwakumbura of 2 pelas in paddy sowing extent, situate at Karallyadde in Palispattu korale aforesaid; and bounded on the north by the Weilla, on the east by the fence, on the south by the limit of Kiri Banda's field, and on the west by Poliwidipeliya.

7. An undivided  $\frac{1}{2}$  part or share from and out of all that land called Karandawaka Kumburawanatha of 3 nellies in kurakkan sowing extent, situate at Wewegama in Palispattu korale aforesaid; and bounded in its entirety on the north by the fence of the field where the anoda tree stands on the limit of the land belonging to Vihare, on the east by the fence of Karandawakumbura, on the south by Nitrilgahathibenaweta, and on the west by the limit of Meegahamulahena, together with a like share of the buildings and plantations and everything thereon.

8. An undivided  $\frac{1}{2}$  part or share from and out of the land called Pelparewatta of 1 acre in extent, situate at Karalhiyadde aforesaid; and bounded on the north and east by the dewata, on the south by the limit of Gamagederawatta, and on the west by the limit of Walalegederawatta, together with plantations and everything thereon.

9. An undivided  $\frac{1}{2}$  part or share out of the field called Egodahakumbura of 2 pelas and 5 lahas paddy sowing extent, situate at Gomagoda aforesaid; and bounded on the north by above the Kandura of Kirie's garden Heemidetta and Elakandura, and on the east by Elakandura, on the south by Elakandura and limit of Punchikumarhamy's field, on the west by the limit of Egodahakumbura.

10. An undivided  $\frac{1}{2}$  part or share out of all that property of 1 pela paddy 1 chundu kurakkan sowing and 4 acres in extent formed by the contiguous lands namely (1) the specific 1 pela paddy out of Medaayanwatta of 1 amunam paddy Medaayanwatta of 1 chundu kurakkan sowing and Medaayanwatta of 4 acres in extent in the whole situate at Wewegama aforesaid; which said property is bounded on the north by Punchikumarhamy's field, on the east by the limit of Henegedorakumbura, and on the south and west by the limit of the field belonging to Henagehuwala President together with a like share of the buildings, plantations, and everything thereon.

11. An undivided  $\frac{1}{2}$  part or share out of Henayakumbura *alias* Wellegederakumbura of 1 pela and six kurunies paddy sowing in extent, situate at Wewegama aforesaid; and the entirety being bounded on the east by iura and field, west by the paddy fields, north by Medaayanwatta, south by ela wella.

Fiscal's Office,  
Kandy, June 3, 1947.

H. F. RATWATTE,  
Deputy Fiscal.

#### North-Western Province.

In the District Court of Kurunégala.

Dambe Durayalage Menka of Kottapitiya . . . . . Plaintiff.  
No. 1,894. Vs.

(1) Horajapathi William of Sembuwawa, (2) Mary Sikurajapathi of Sembuwawa . . . . . Defendants.

NOTICE is hereby given that on Thursday, July 3, 1947, at 2 o'clock in the afternoon, will be sold by public auction at the premises, commencing from the 1st land the right, title, and interest of the said 1st and 3rd defendants in the following property, viz.:—

#### The land of 1st defendant.

1. An undivided  $\frac{2}{3}$  share of the field called Bemmekumbura of three amunams paddy sowing extent, situate at Weragala in Dambadeni Udukaha korale north of Dambadeni hatpattu in the District of Kurunégala, North-Western Province; and bounded on the north by the village limit of Pinnapola, south by the field of Gamarala, east by Mallahewa and Pnliyadda, west by the village limit of Polwattegedara. Valued at Rs. 2,000.

#### The lands of 3rd defendant.

2. All that land called Wewagawawatta of one seer kurakkan sowing extent, situate at Sembuwawa in Dambadeni Udukaha korale north aforesaid; and bounded on the north by high road, south by the barbed wire fence of Hitinawatta of Menika, east by Kahatagahamulawatta, west by tank and the fence of the garden of Podiya Panikkaya, with all the plantations, buildings and everything thereon. Valued at Rs. 1,300.

3. All that land called Kahatagahamulawatta of three seers kurakkan sowing extent, situate at Sembuwawa aforesaid; and bounded on the north by high road, south by the barbed wire fence of the garden of Arnolis Appuhamy and others, west by Wewagawawatta. Valued at Rs. 300.

4. An undivided  $\frac{1}{2}$  share of high and low land called Thimbri-gahamulawatta of four seers kurakkan sowing extent, and its adjoining Kurundugahakumbura of twelve lahas paddy sowing extent, both situate at Kottapitiya in Dambadeni Udukaha korale north aforesaid; and bounded on the north by Wewagawakumbura of Mary and Innawatta of Menika, south by the garden of Ukkuwa, east by the garden of Ukkuwa and others and field, west by Kahatagahakumbura. Valued at Rs. 300.

5. An undivided  $\frac{2}{3}$  share of the field called Helambagahakumbura of twelve lahas paddy sowing extent, situate at Kottapitiya aforesaid; and bounded on the north by the garden of Ukkuwa and others and field, south by the garden of Ukkuwa, east by the field of Ukkuwa and others, west by the Kurundugahakumbura of Menika and Mary. Valued at Rs. 200.

Total Value Rs. 4,100. Amount to be recovered Rs. 312.80 and poundage.

Fiscal's Office,  
Kurunégala, May 30, 1947.

W. D. M. PERERA,  
Deputy Fiscal.

#### Province of Sabaragamuwa.

In the District Court of Ratnapura.

(1) Wikrawita Mohottallaye Podiappuhamy, (2) Gankande Muhandramalaye Punchimonke *alias* Heenmenike of Panawenna, Kahawatta . . . . . Plaintiffs.

No. 7,990.

Vs.

Degiri Sisio de Soysa, widow of the late Warnakula Sardiel Appu of Galahitiya . . . . . Defendant.

NOTICE is hereby given that on Tuesday, July 8, 1947, at 2.30 in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of Rs. 900, with interest thereon at 9 per cent. per annum from January 11, 1945, to July 2, 1946, and thereafter with legal interest on the aggregate till payment in full and costs Rs. 153.40 and poundage, viz.:—

An undivided half share of that portion of the land called and known as Atukorallayehenyaya, situate at Galahitiya in Meda pattu of Atakalan korale in the district of Ratnapura of the Province of Sabaragamuwa, and bounded on the north by Hatan-chyagehena, east by portion of this land sold to Kadramage Yasohamy, south by Dingirhenayagewatta, west by Galamunehena; and containing in extent about 5 seers of kurakkan sowing; and registered in F. 11/118.

Fiscal's Office,  
Ratnapura, June 4, 1947.

A. B. KARALLIADDE,  
Additional Deputy Fiscal.

I, William Oswald Stevens, Fiscal for the Southern Province, do hereby appoint Mr. Tuwan Jayah Thajudeen Cassim, Clerk, Deputy Fiscal's Office, Hambantota, to be Marshal for the Division of Hambantota, under the provision of the Fiscal's Ordinance, and authorise him to perform the duties and exercise the authority of Marshal, for which this shall be his warrant.

June 3, 1947.

W. O. STEVENS,  
Fiscal, S.P.

#### NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

#### Order Nisi.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Elizabeth Anne MacDonald of Nuwara Eliya in the Island of Ceylon and of Aberdeen, Scotland, widow, deceased.  
No. 12,464.

THIS matter coming on for disposal before N. Sinnatamby, Esq., Additional District Judge of Colombo, on May 21, 1947, in the presence of Beram Kaikhushroo Billmorria of Colombo, Proctor, on the part of the petitioner, Joseph Francis Martyn of Colombo; and the affidavit of the said petitioner dated May 19, 1947, an affidavit as to the due execution of the will, original will, certificate of death of the above-named deceased, power of attorney in favour of the petitioner, and Supreme Court's order dated May 2, 1947, having been read: It is ordered that the will of the said deceased dated April 10, 1946, of which the original has been produced and is now deposited in this court, be and the same is hereby declared proved, and it is further declared that the said petitioner is one of the attorneys of the sole executor named in the said will and that he is entitled to have letters of administration with a copy of the said will annexed issued to him accordingly unless any person or persons interested shall, on or before June 19, 1947, show sufficient cause to the satisfaction of this court to the contrary.

May 23, 1947.

N. SINNETAMBY,  
Additional District Judge.

In the District Court of Panadura.

#### Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of the late Muthuthantrige Arthur Henry Peiris of Korallawella in Moratuwa.  
No. 75.

Muthuthantrige Irwin Daniel Peiris of Korallawella in Moratuwa . . . . . Petitioner.  
Vs.

(1) Muthuthantrige Lompa Maria Coorey *nee* Peiris of "Bastella" at Idama in Moratuwa, (2) Muthuthantrige Janet Maria Fernando *nee* Peiris of "Manel" at Korallawella aforesaid, (3) Muthuthantrige Calvin Andrew Peiris of "Merlyn Cottage" at Korallawella aforesaid, (4) Muthuthantrige Bertie Sylvester Peiris of "Bastella" at Idama aforesaid, (5) Mahawattage Harrison Rudolph Patrick Mendis of Willorawatta in Moratuwa aforesaid by his guardian *ad litem*, (6) Mahawattage Peter Richard Mendis of Willorawatta aforesaid . . . . . Respondents.

THIS matter coming on for disposal before K. D. de Silva, Esq., District Judge of Panadura, on April 24, 1947, in the presence of Mr. G. C. E. Peiris, Proctor, on the part of the petitioner above named; and the affidavit of the petitioner dated March 7, 1947, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as brother of the above-named deceased, to have letters of administration to his estate issued to him, unless the respondents

above named or before June 18 of the court to th  
It is further ord.  
appointed guardian  
the respondents at  
interested shall, on  
to the satisfaction of t

erson or persons interested shall, on or sufficient cause to the satisfaction  
the 6th respondent be and he is hereby of the 5th respondent, a minor, unless ed or any other person or persons e June 18, 1947, show sufficient cause urt to the contrary.

April 24, 1947.

K. D. DE SILVA,  
District Judge.

In the District Court of Panadura.  
*Order Nisi.*

Testamentary In the Matter of the Intestate Estate of Merannege  
Jurisdiction. Margrave Arnold Festin Fernando of Moratuwa,  
No. TJ 88 T. deceased.

Wannakuwattemtiwaduge Clarice Olivia Leo Fernando of  
Moratuwa ..... Petitioner.

And

(1) Evelyn Louise Indra Fernando, (2) Swarna Marlene Fernando, (3) Rohini Sumithra Fernando, (4) Marshall Anura Fernando (minors), all of Moratuwa, appearing by their guardian *ad litem*, (5) Merennege Stanley Neville Hilton Fernando of "Eastlynn", Idama, Moratuwa. . . Respondents.

THIS matter coming on for disposal before K. D. de Silva, Esq., District Judge of Panadura, on May 29, 1947, in the presence of Mr. C. W. de Silva, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated February 8, 1947, having been read:

It is ordered that the 5th respondent above-named be and he is hereby declared appointed guardian *ad litem* over the minors, the 1st, 2nd, 3rd, and 4th respondents above named, and the petitioner above named be and she is hereby declared entitled to have letters of administration to the estate of the said deceased issued to her accordingly, unless the respondents above named or any person or persons interested shall, on or before June 18, 1947, show sufficient cause to the satisfaction of this court to the contrary.

May 29, 1947.

K. D. DE SILVA,  
District Judge.

In the District Court of Negombo.  
*Order Nisi.*

Testamentary In the Matter of the Intestate Estate of Abeyratne  
Jurisdiction. Pathirannehelage Don Egonis Abeyratne of  
No. 3,421. Henegama, deceased.

Abeyratne Patirannehelage Don Viola Abeyratne of Henegama ..... Petitioner.

Vs.

(1) Abeyratne Patirannehelage Don Dharmachandra Abeyratne, (2) Abeyratne Patirannehelage Dona Chandralatha Abeyratne (minors), (3) Siriwardene Ranasinghe Vidanerallage Rodhamine, all of Henegama . . . Respondents.

THIS matter coming on for disposal before Leonard B. de Silva, Esq., District Judge of Negombo, on May 20, 1947, in the presence of Mr. S. D. C. W. Senaratne, Proctor, on the part of the petitioner above named; and the affidavit of the petitioner dated May 8, 1947, having been read:

It is ordered that the 3rd respondent above named be appointed guardian *ad litem* over the 1st and 2nd respondents above named, minors, to represent them for all the purposes of this action, and that the petitioner above named be and he is hereby declared entitled, as the brother of the deceased above named, to have letters of administration to the above estate issued to him accordingly, unless the respondents above named or any other person or persons interested shall, on or before June 17, 1947, show sufficient cause to the satisfaction of this court to the contrary.

May 20, 1947.

LEONARD B. DE SILVA,  
District Judge.

In the District Court of Kandy.  
*Order Nisi.*

Testamentary In the Matter of the Estate of the late Iris Gertrude  
Jurisdiction. Gunawardena of Peradeniya road, Kandy,  
No. T 660. deceased.

Mrs. G. M. Gunawardena of Peradeniya road, Kandy. . . Petitioner.

Vs.

(1) R. F. Gunawardena, (2) D. W. Gunawardena, (3) Mrs. H. J. Kurukula-aratchi, (4) C. M. Gunawardena; the 1st, 2nd, and 3rd of Kandy and the 4th of Nugegoda. . . Respondents.

THIS matter coming on for disposal before H. A. de Silva, Esq., District Judge, Kandy, on March 27, 1947, in the presence of Messrs. de Silva & Karunaratne, Proctors, on the part of the petitioner; and the affidavit of the above-mentioned petitioner dated March 23, 1947, having been read:

It is ordered that the petitioner, as the mother of the above-named deceased, be declared entitled to letters of administration to the estate of the said deceased, unless the respondents or any other person or persons interested shall, on or before May 26, 1947, show sufficient cause to the satisfaction of this court to the contrary.

March 27, 1947.

H. A. DE SILVA,  
District Judge.

Date for showing cause is extended for June 16, 1947.

May 26, 1947.

W. RICHARD DE SILVA.  
A. D. J.

B 2

In the District Court of Galle.

*Order Nisi.*

No. 8,239T. In the Matter of the Intestate Estate of Marshall Wickramasingha Senanayaka of Bataduwa, Galle, deceased

Karandeniya Hewage Lily of Bataduwa, Galle. . . . . Petitioner.

Vs.

(1) Upali Wickramasingha Senanayaka of Bataduwa, (2) Karandenye Hewage Peiris of Dangedara, Galle. . . . . Respondents.

THIS matter coming on for disposal before S. J. C. Schokman, Esq., District Judge of Galle, on May 19, 1947, in the presence of Mr. M. Semage, Proctor, on the part of the petitioner, Karandeniya Hewage Lily of Bataduwa, Galle; and the affidavit of the said petitioner dated April 18, 1947, having been read:

It is ordered that the 2nd respondent be and he is hereby appointed guardian *ad litem* over the said first respondent (minor) and that the petitioner, as the widow of the deceased, be and she is hereby declared entitled to have letters of administration issued to her accordingly, unless the respondents or any other person or persons interested shall, on or before June 20, 1947, show sufficient cause to the satisfaction of this court to the contrary.

May 19, 1947.

S. J. C. SCHOKMAN,  
District Judge.

In the District Court of Galle.

*Order Nisi.*

Testamentary In the Matter of the Intestate Estate of the late  
Jurisdiction. Charles Dias Wijetunga Amaradiwakara of Kodagoda,  
No. 8,161. deceased.

Dona Agna Edirisinghe Kodituwakku of Kodagoda. . . . . Petitioner.

And

(1) Andrayas Dias Edirisinghe Wijetunga Amaradiwakara, (2) William Dias Edirisinghe Wijetunga Amaradiwakara, both of Kodagoda. . . . . Respondents.

THIS matter coming on for disposal before T. F. C. Roberts, Esq., District Judge, Galle, on January 22, 1946, in the presence of Mr. E. H. P. Jayatilake, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated January 19, 1946, having been read:

It is ordered that the petitioner, as the widow of the deceased, be and she is hereby declared entitled to have letters of administration to the estate of the said deceased issued to her accordingly, unless the respondents above named or any person or persons interested shall, on or before March 8, 1946, show sufficient cause to the satisfaction of this court to the contrary.

January 22, 1946.

S. J. C. SCHOKMAN,  
District Judge.

The date for showing cause against the above *Order Nisi* is hereby extended to May 3, 1946.

March 8, 1946.

S. J. C. SCHOKMAN,  
District Judge.

The date for showing cause against the above *Order Nisi* is hereby extended to June 24, 1946.

May 3, 1946.

S. J. C. SCHOKMAN,  
District Judge.

The date for showing cause against the above *Order Nisi* is hereby extended to February 21, 1947.

S. J. C. SCHOKMAN,  
District Judge.

The date for showing cause against this *Order Nisi* is extended to May 9, 1947

February 21, 1947.

V. MANICKAWASAGAR,  
District Judge.

The date for showing cause against this *Order Nisi* is extended to May 30, 1947.

March 28, 1947.

S. J. C. SCHOKMAN,  
District Judge.

The date for showing cause is extended to June 20, 1947.

May 30, 1947.

S. J. C. SCHOKMAN,  
District Judge.

In the District Court of Matara.

*Order Nisi.*

Testamentary In the Matter of the Intestate Estate of Aloysius  
Jurisdiction. Munasinge Jamis Appu, late of Kamburugamuwa,  
No. 4,337. deceased.

Bajjama Hewage Julinona of Kamburugamuwa. . . . . Petitioner.

Vs.

(1) Aloysius Munasinge Seelawathi, (2) ditto Indrani, (3) ditto Ratnasiri, (4) ditto Anula, all of Kamburugamuwa, minors, by their proposed guardian *ad litem*, (5) Hewa Bahittige Simon Silva of Walgama. . . . . Respondents.

THIS matter coming on for disposal before J. H. V. S. Jayawickrama, Esq., District Judge of Matara, on May 7, 1947, in the presence of Messrs S. & S. Dias, Proctors, on the part of the petitioner; and the affidavit of the petitioner above named dated March 13, 1947, having been read:

It is ordered that the petitioner be and she is hereby declared entitled, as widow of the deceased, to have letters of administration to the estate of the deceased issued to her, unless the respondents

or any other person or persons interested in the estate shall, on or before July 7, 1947, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the said 5th respondent be appointed guardian *ad litem* over the 1st to 4th minor respondents, unless the respondents or others interested in the estate shall, on or before July 7, 1947, show sufficient cause to the satisfaction of this court to the contrary.

J. H. V. S. JAYAWICKRAMA,  
District Judge.  
May 7, 1947.

In the District Court of Jaffna.  
*Order Nisi.*

Testamentary In the Matter of the Estate of the late Matilda Jurisdiction. Navaranchitham Tamby Raja of Jaffna, deceased. No. 697.

Ebenezer Chellaraja Tambyraja of Forest Bungalow, Jaffna ..... Petitioner.  
Vs.

(1) Ariyajothy Wilnot Tamby Raja, (2) Ranjithan Lakshmanajothy Tamby Raja, (3) Yohendran Chandrajothy Tamby Raja, (4) Chellara Jm Tamby Raja, (5) Florence Thayalmalar Navaranjini Tamby Raja (minors) all of ditto, appearing by their guardian *ad litem* the 6th respondent, (6) Walter Olegasagaram, Advocate, Batticaloa ..... Respondents.

THIS matter of the petition of the petitioner praying that the 6th respondent be appointed guardian *ad litem* over the 1st to 5th respondents above named, and that the petitioner as widower of the deceased declared entitled to administer the estate of the deceased above named, and that the letters of administration issued to him accordingly, coming on for disposal before R. R. Selvadurai, Esq., District Judge, Jaffna, on April 30, 1947, in the presence of Mr. T. C. Rajaratnam, Proctor, on the part of the petitioner; and the affidavit and petition of the petitioner having been read:

It is ordered that the 6th respondent be and he is hereby appointed guardian *ad litem* over the 1st to 5th respondents above named, that the petitioner as widower of the deceased declared entitled to administer the estate of the said deceased and letters of administration issued to him, unless the respondents above named or any others shall show sufficient cause to the contrary on or before May 27, 1947, at 10 A.M. It is further ordered that the 6th respondent do produce the minors before court on the said date.

R. R. SELVADURAI,  
District Judge.  
May 30, 1947.

Date for showing cause is extended to June 24, 1947.

R. R. S.,  
D.J.

In the District Court of Jaffna.

*Order Nisi declaring Will proved, &c.*

Testy. In the Matter of the Last Will and Testament of No. 710. the late Peter Subramaniam, deceased, of Station road, Jaffna.

Cathiravelu Soosaipillai of Station road, Jaffna ..... Petitioner.

(1) Hyesmith Rajasingham Johorotnam Subramaniam, (2) Francis Franklin Balasingham Jeyaratnam Subramaniam, (3) Scholastica Rajeswari Seevarani Subramaniam (minors); (4) Hella Daisy Soosaipillai, daughter of Soosaipillai; (5) Gnanasunderam Balakrishnan of Kandy (minor); (6) Edwin Subramaniam of D. E. L.'s Office, C. G. R., Colombo; (7) V. Gnanasundram, No. 477, Heerasagala road, Muli-jampola, Kandy; the 1st, 2nd, and 3rd respondents are minors appearing by their guardian *ad litem* 4th respondent, and the 5th respondent also a minor appearing by the guardian *ad litem*, the 7th respondent ..... Respondents.

THIS matter coming on for disposal before R. R. Selvadurai, Esq., District Judge, Jaffna, on May 23, 1947, in the presence of Mr. V. Sivasubramaniam, Proctor, on the part of the petitioner; and the affidavit of the above-mentioned petitioner dated May 21, 1947, and an affidavit of the witnesses dated May 19, 1947, having been read:

It is ordered that the will of the above-named deceased dated January 4, 1947, and numbered 773 and attested by Vital A. Moses,

Notary Public, be and the same is hereby proved; and it is further declared that the said 4th respondent, appointed guardian *ad litem* over the minors 1st, 2nd and 3rd, and 7th respondent be appointed guardian *ad litem* over Ratnapura, 5th respondent, and that the said petitioner be declared, to have probate of the last will and testament of the said (as Hee) and the petitioner is the executor named in the said will, and is entitled to have probate of the same issued to him accordingly, unless the respondents or others interested shall, on or before July 2, 1947, show sufficient cause to the satisfaction of this court to the contrary.

May 21, 1947.

R. R. SELVADURAI,  
District Judge.

In the District Court of Jaffna.

*Order Nisi.*

Testamentary In the Matter of the Estate of the late Sithamparapillai Jurisdiction. Pillai Kandiah of Cherpupiddy, Jaffna, late of No. 711. Kuala Lumpur, Malay States, deceased.

Theivanaipillai, widow of Sithamparapillai Kandiah of Sirupiddy, presently of Colombo ..... Petitioner.  
Vs.

(1) Sellappah Nagamuttu, and (2) wife, Sivapackiam of Sirupiddy, presently of Colombo, (3) Kandiah Nadarajah, (4) Kandiah Thurairajah, and (5) Rajeswari, daughter of Kandiah, all of ditto ..... Respondents.

THIS matter coming on for disposal before R. R. Selvadurai, Esq., District Judge, Jaffna, on May 23, 1947, in the presence of Mr. R. R. Nalliah, Proctor, on the part of the petitioner; and the affidavit and petition of the petitioner having been read:

It is ordered that the above-named 1st respondent be appointed guardian *ad litem* over the minors, the above-named 3rd, 4th and 5th respondents for the purpose of watching the interest of these testamentary proceedings, and that letters of administration in respect of the estate of the above-named deceased be issued to the petitioner, as lawful widow, unless the respondents or any other person shall appear before this court, on or before June 30, 1947, and show sufficient cause to the satisfaction of this court to the contrary.

The petitioner do produce the said minors on the said date.

R. R. SELVADURAI,  
District Judge.  
May 29, 1947.

In the District Court of Kegalla.

*Order Nisi.*

Testamentary In the Matter of the Intestate Estate of the late Jurisdiction. Padidora Rankothpedige Sripina of Padidora, deceased. No. 1715.

Rankothpedige Rankira of Padidora ..... Petitioner.

And

Rankothpedige Sethie of Padidora ..... Respondent.

THIS matter coming on for disposal before L. W. de Silva, Esq., District Judge of Kegalla, on April 30, 1947, in the presence of Mr. L. A. Goonewardene, Proctor, on the part of the petitioner; and the affidavit of the above-named petitioner dated March 26, 1947, having been read:

It is ordered that the said Rankothpedige Rankira, the petitioner, be appointed administrator of the estate of the said deceased, and that he is entitled to have the letters of administration issued to him accordingly, unless the respondent or any other person interested shall, on or before June 4, 1947, show sufficient cause to the satisfaction of this court to the contrary.

L. W. DE SILVA,  
District Judge.  
April 29, 1947.

Date for showing cause is extended for June 4, 1947.

L. W. DE SILVA,  
District Judge.

Date for showing cause is extended for June 25, 1947.

L. W. DE SILVA,  
District Judge.